

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

DOWNEY UNIFIED SCHOOL DISTRICT
AND CALIFORNIA CHILDREN'S
SERVICES.

OAH Case No. 2014080021

ORDER GRANTING REQUEST TO
RESET TIME LINES

On July 29, 2014, Student filed a request for due process hearing against the Downey Unified School District (Downey) and the California Children's Services. On August 2, 2014, the Office of Administrative Hearings issued a scheduling order, but inadvertently served the order upon the Fresno County office of Children's Services instead of the office located in El Monte, California. On August 11, 2014, OAH issued a Notice of Rescheduled Mediation, which was also not served on the correct Children's Services office. On September 2, 2014, Student moved for an extension of the time lines for mediation and due process hearing due to the lack of service upon the proper Children's Services office. Downey has not responded to Student's request. However, Student and Downey have informed OAH that they have settled their dispute. All dates as to Downey have been vacated and a status conference has been set for October 1, 2014.

OAH notes that on August 8, 2014, Student filed a "joint" request to continue the mediation in this matter which lacked agreement from Children's Services; and, upon receiving the proof of service attached to the August 11, 2014 Notice of Rescheduled Mediation, Student was aware that Children's Services was not served, yet Student waited until September 2, 2014 to file the instant request. Despite Student's own delay in filing the request, Student's request is granted. The time lines as to Children's Services are reset. OAH shall issue a scheduling order as to Children's Services. The status conference on October 1, 2014, at 10:00 a.m. as to Downey shall remain on calendar.

IT IS SO ORDERED.

DATE: September 4, 2014

/s/

BOB N. VARMA
Presiding Administrative Law Judge
Office of Administrative Hearings